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Attorneys for Defendant: JAMIE HARMON

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

UNITED STATES OF AMERICA

CASE NO. 08-00938 LHK

Plaintiff,

VS.

JAMIE HARMON,

Defendant.

**PARTIE'S STIPULATION AND
REQUEST TO RESCHEDULE MAY 8,
2013 STATUS CONFERENCE TO JUNE
12, 2013 AT 9:30 A.M.**

The United States of America, by and through Assistant United States Attorney Richard Cheng, and Jamie Harmon, by and through her counsel Edward W. Swanson, hereby submit this stipulated request to move the status conference currently scheduled for May 8, 2013 at 9:30 a.m., to June 12, 2013 at 9:30 a.m. The parties agree and stipulate as follows:

(1) On September 23, 2011, the United States filed a Notice of Appeal of this Court's order on Harmon's new trial motion;

(2) The Ninth Circuit Court of Appeals issued a briefing scheduling and the parties subsequently briefed the issues on appeal;

(3) On February 12, 2013, the parties appeared before the Ninth Circuit for oral argument:

- 1 (4) The case has been submitted and is currently under consideration by the Ninth
2 Circuit;
3 (5) The parties previously rescheduled the status conference from March 13, 2013 to
4 May 8, 2013 in light of the pending appeal.
5 (6) Subject to the availability and approval by this Court, the parties request that the
6 May 8, 2013, status conference be rescheduled to June 12, 2103.

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8 IT IS SO STIPULATED.

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10 DATED: May 1, 2013

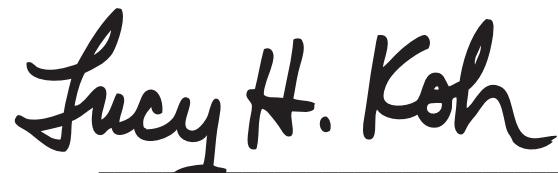
11 _____
12 /s/
13 Richard Cheng
14 Assistant United States Attorney

15 DATED: May 1, 2013

16 _____
17 /s/
18 Edward W. Swanson
19 SWANSON & McNAMARA LLP
20 Attorneys for JAMIE HARMON

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 DATED: 5/2/13

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 HON. Lucy H. Koh
 United States District Court Judge